

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re:)	Chapter 11
)	
W. R. GRACE & CO., <u>et al.</u> , ¹)	Case No. 01-01139 (JKF)
)	Jointly Administered
Debtors.)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED
FOR HEARING ON OCTOBER 27, 2003 AT 12:00 P.M.**

CONTINUED MATTERS

1. Motion of Caterpillar Financial Services Corporation to Compel Payment of Administrative Expenses and for Relief from the Automatic Stay or in the Alternative for Adequate Protection (Docket No. 3009)

Related Documents:

- a. [Proposed] Order regarding Docket No. 3009 (Docket No. 3009)

Response Deadline: Extended through October 10, 2003 at 4:00 p.m. for the Debtors

Responses Received: None as of the date of this Notice of Agenda.

Status: The parties are continuing to work on a resolution to this matter and respectfully request that the matter will be continued to the omnibus hearing on November 17, 2003 at 12:00 p.m.

¹ The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

UNCONTESTED MATTERS

2. Motion of the Debtors for an Order Extending Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 4419)

Related Documents:

- a. [Proposed] Order Extending Time to Assume, Assume and Assign, or Reject Unexpired Leases of Nonresidential Real Property (Docket No. 4419)
- b. Certification of No Objection Regarding Docket No. 4419 (Docket No. 4525)

Response Deadline: September 30, 2003 at 4:00 p.m.

Responses Received: None.

Status: No parties have objected to the relief requested in the motion. Accordingly, the Debtors have filed a certificate of no objection and request the entry of the order attached to the motion.

3. Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§327(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Employment and Retention of Protiviti LLP as Sarbanes-Oxley Compliance Advisors to the Debtors Nunc Pro Tunc to June 30, 2003 (Docket No. 4459)

Related Documents:

- a. [Proposed] Order Pursuant to 11 U.S.C. §§327(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Employment and Retention of Protiviti LLP as Sarbanes-Oxley Compliance Advisors to the Debtors Nunc Pro Tunc to June 30, 2003 (Docket No. 4459)

Response Deadline: October 10, 2003 at 4:00 p.m.

Responses Received:

- a. Objection of United States Trustee to Application of the Debtors for Order Authorizing Retention of Protiviti LLP as Sarbanes-Oxley Compliance Consultant (Not filed with the Court)

Status: This matter is now contested and will be going forward.

4. Motion for Entry of an Order Authorizing the Debtors to Settle New York State Tax Audit and for Repayment of the Resulting Tax Refund in Accordance with the Fresenius Settlement Agreement (Docket No. 4462)

Related Documents:

- a. [Proposed] Order Authorizing the Debtors to Settle New York State Tax Audit and for Repayment of the Resulting Tax Refund in Accordance with the Fresenius Settlement Agreement (Docket No. 4462)
- b. Certification of No Objection Regarding Docket No. 4462 (Docket No. 4579)

Response Deadline: October 10, 2003 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: No parties have objected to the relief requested in the motion. Accordingly, the Debtors have filed a certificate of no objection and request the entry of the order attached to the motion.

- 5. Motion for Entry of an Order Authorizing the Debtors to Pay Certain Amounts Due Under the Florida Intangible Personal Property Tax Act for the Tax Years 1993 Through 1996 (Docket No. 4463)

Related Documents:

- a. [Proposed] Order Authorizing the Debtors to Pay Certain Amounts Due Under the Florida Intangible Personal Property Tax Act for the Tax Years 1993 Through 1996 (Docket No. 4463)
- b. Certification of No Objection Regarding Docket No. 4463 (Docket No. 4580)

Response Deadline: October 10, 2003 at 4:00 p.m.

Responses Received: None as of the date of this Agenda Notice.

Status: No parties have objected to the relief requested in the motion. Accordingly, the Debtors have filed a certificate of no objection and request the entry of the order attached to the motion.

CONTESTED MATTERS

- 6. Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§327(a) and Fed. R. Bankr. P. 2014(A), 2016 and 5002 Authorizing, But Not Requiring, The Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4299)

Related Documents:

- a. [Proposed] Order Authorizing the Debtors to Retain State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4299)

- b. Supplement to Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§327(a) and Fed. R. Bankr. P. 2014(A), 2016 and 5002 Authorizing, But Not Requiring, The Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4543)

Response Deadline: September 5, 2003 at 4:00 p.m. *(extended until September 9, 2002 for the Creditors' Committee and the Personal Injury Committee)*

Responses Received:

- a. Objection of Official Committee of Equity Security Holders to Application of the Debtors' for Entry of an Order Pursuant to 11 U.S.C. Sections 327(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing the Employment and Retention of State Street Bank and Trust Company as Investment Manager (Docket No. 4383)
- b. Objection of the Official Committee of Unsecured Creditors to the Application of the Debtors for Entry of an Order Authorizing, But Not Requiring, The Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4401)
- c. Debtors' Response to the Objections of (A) The Official Committee of Unsecured Creditors and (B) The Official Committee of Equity Security Holders to the Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing, But Not Requiring, The Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4420)
 - (i.) Motion for Leave to File Debtors' Reply to the Objections of (A) The Official Committee of Unsecured Creditors and (B) The Official Committee of Equity Security Holders to the Application of the Debtors for Entry of an Order Pursuant to 11 U.S.C. §§ 327(a) and 328(a) and Fed. R. Bankr. P. 2014(a), 2016 and 5002 Authorizing, But Not Requiring, The Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4420)
- d. Notice of Filing of Exhibit A to the Debtors' Response to the Objections of (a) the Official Committee of Unsecured Creditors and (b) the Official Committee of Equity Security Holders to the Application of the Debtors for Entry of an Order Authorizing, But Not Requiring, the Employment and Retention of State Street Bank and Trust Company to Act as Investment Manager and Fiduciary of the Grace Stock Within the Grace Savings & Investment Plan (Docket No. 4430)

Status: This matter will be going forward.

7. Motion of Oldcastle APG Northeast, Inc. D/B/A Foster-Southeastern for Relief from Stay Under Section 362 of the Bankruptcy Code (Docket No. 4458)

Related Documents:

- a. [Proposed] Order Granting Motion of Oldcastle APG Northeast, Inc. D/B/A Foster-Southeastern for Relief from Stay Under Section 362 of the Bankruptcy Code (Docket No. 4458)

Response Deadline: October 10, 2003 at 4:00 p.m.

Responses Received:

- a. Debtors' Objection to Oldcastle's APG Northeast, Inc. D/B/A Foster-Southeastern Motion for Relief from Stay Under Section 362 of the Bankruptcy Code (Docket No. 4570)

Status: This matter will be going forward.

8. Debtors' Motion for an Order Approving the Privileged and Confidential Settlement Agreement and Release with the KWELMB Companies (Docket No. 4460)

Related Documents:

- a. [Proposed] Order Approving the Privileged and Confidential Settlement Agreement and Release with the KWELMB Companies (Docket No. 4460)

Response Deadline: October 10, 2003 at 4:00 p.m. (Extended for the Property Damage Committee until October 14, 2003)

Responses Received:

- a. London Market Insurers' Objections to Debtors' Disclosure of a Confidential Settlement Agreement and Release Between Grace and London Market Insurers in Debtors' Motion for an Order Approving the Privileged and Confidential Settlement Agreement and Release with the KWELMB Companies (Docket No. 4569)

Status: This matter will be going forward.

9. Motion for Modification of Preliminary Injunction to Permit Certain Third Party Appeals to Proceed (Adv. Pro. No. 01-771, Docket No. 159)

Related Documents:

- a. [Proposed] Amendment to Order Granting Preliminary Injunction (Adv. Pro. No. 01-771, Docket No. 159)

Response Deadline: September 29, 2003 at 4:00 p.m.

Responses Received:

- a. Gary Smolker's and Alice Smolker's Opposition and Other Responses to Debtors' Motion for Modification of Preliminary Injunction to Permit Certain Third Party Appeals to Proceed (Adv. Pro. No. 01-771, Docket No. 164)
- b. Reply of James and Julie Holland to Opposition of Gary and Alice Smolker to Debtors' Motion for Modification of Preliminary Injunction to Permit Certain Third Party Appeals to Proceed (Adv. Pro. No. 01-771, Docket No. 168)
 - (i) Motion of James and Julie Holland for Leave to File Reply to Opposition of Gary and Alice Smolker to Debtors' Motion for Modification of Preliminary Injunction to Permit Certain Third Party Appeals to Proceed (Adv. Pro. No. 01-771, Docket No. 168)

Status: This matter will be going forward.

OMNIBUS CLAIM OBJECTIONS

10. Debtors' First Omnibus Objection to Claims (Substantive) (Docket No. 4088)

Related Documents:

- a. Declaration of David B. Siegel in Support of Debtors' First Omnibus Objection to Claims (Substantive) (Docket No. 4105)

Response Deadline: August 8, 2003 at 4:00 p.m.

Responses Received:

- a. Letter Response of Pipeline Services Inc. (Docket No. TBD)

Status: The Court has previously entered an order resolving the claim objections included in the Debtors' First Omnibus Objection to Claims, with the exception of the claim of Pipeline Services Inc. This claim will be going forward.

11. Debtors' Second Omnibus Objection to Claims (Non-Substantive) (Docket No. 4089)

Related Documents:

- a. Declaration of David B. Siegel in Support of Debtors' First Omnibus Objection To Claims (Non-Substantive) (Docket No. 4106)

Response Deadline: August 8, 2003 at 4:00 p.m.

Responses Received: Unresolved Responses to this matter are listed on the attached Exhibit 1.

Status: The status of each claim is indicated in the charts attached as Exhibit A.

OTHER

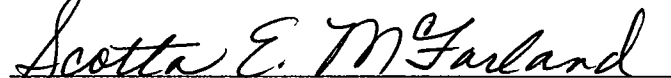
12. Certification of Counsel Regarding Scheduling Order Related to Debtors' Motion to Expand the Preliminary Injunction to Include Actions Against Montana Vermiculite Company (Adv. Pro. No. 01-771, Docket No. 166)

Dated: October *20*, 2003

KIRKLAND & ELLIS LLP
David M. Bernick, P.C.
James H.M. Sprayregen, P.C.
Janet S. Baer
James W. Kapp III
200 East Randolph Drive
Chicago, Illinois 60601
(312) 861-2000

and

PACHULSKI, STANG, ZIEHL, YOUNG, JONES
& WEINTRAUB P.C.



Laura Davis Jones (Bar No. 2436)
Scotta E. McFarland (Bar No. 4184)
David W. Carickhoff, Jr. (Bar No. 3715)
919 North Market Street, 16th Floor
P.O. Box 8705
Wilmington, DE 19899-8705 (Courier 19801)
Telephone: (302) 652-4100
Facsimile: (302) 652-4400

Co-counsel for Debtors and Debtors in Possession